

# BEST AVAILABLE COPY

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P.06

Serial No. 09/892,926  
Docket No. 29288.1400

## REMARKS

Applicants reply to the Final Office Action mailed on April 6, 2006 within the three month shortened statutory period to reply. The Examiner rejects claims 1-14 in the subject application. Claims 1-14 (1 independent claim; 14 total claims) remain pending in the application. Reconsideration of this application is respectfully requested.

Claims 1-12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Katayama, U.S. Patent No. 5,915,066 ("Katayama"). Claim 13 is rejected under 35 U.S.C. 103(a) as being obvious over Katayama. Applicants respectfully traverse these rejections.

The Examiner alleges that, in Katayama, "[w]hen the user requested switching from first audio signal to second audio signal (second audio signal to first audio signal in the present application), both the first and second audio channels are muted in the time interval of t10-t20 (see fig. 6)" (see page 2 of the Office Action). Applicant respectfully asserts that such an assertion by the Examiner is improper and inconsistent with the disclosure of Katayama.

In particular, in the embodiment associated with Figure 6 of Katayama, Katayama explicitly discloses that "a mute state is set for the audio output of audio channel 1 during the remaining reproduction period (t10 to t20) ..." Thereafter, "[t]he audio output of audio channel 2 is output (t20), ..." (see col. 8, lines 1-9 of Katayama). Therefore, contrary to the Examiner's assertion, Katayama has only been found to disclose that the audio output of audio channel 1 is muted from t10 to t20 as shown in Figure 6 (i.e. not both the audio outputs of the first and second audio channels are muted as alleged by the Examiner).

Additionally, as clearly shown in Figure 6 of Katayama, it is the audio output of audio channel 1 that is muted from t10 to t20 (see the diagonal dashed-line in Figure 6, wherein the audio channel 1 block is shown to be output as the audio output of channel 1 and the muted state of the audio output of channel 1 from t10 to t20). Thereafter (i.e. t20), the audio output of channel 2 is output (as admitted by the Examiner at page 2, third to the last line of the Office Action).

Accordingly, Katayama fails to disclose a mute section for muting the audio output of channel 2 when the system controller 15 switches the audio output of channel 1 to the audio output of channel 2. Therefore, Katayama fails to disclose or teach at least "... a mute section for muting the first audio signal which is output from the audio signal switch section when the audio signal switch section switches the second audio signal to the first audio signal", (emphasis added) as recited by independent claim 1.

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The Examiner asserts that, “[t]he second audio signal will be outputted after the user instructed the switching section to output the signal and the muting state occurs after the user switched the channel (after t10) (see col. 7 lines 30-48 and col. 11 lines 47-64)”; however, Applicants respectfully assert that such citation has not been found to support the Examiner’s previous assertion that “both the first and second audio channels are muted in the time interval of t10-t20”. In particular, although an audio channel switching request is input by the user at t10 (i.e. an audio channel switching instruction is input by the user at t10) (see col. 7, lines 30-35 of Katayama), the system controller 15 only outputs a switching instruction for switching from audio channel 1 to audio channel 2 at t20 (sec col. 7, line 39-44 of Katayama). That is, the switching occurs at t20, which is after the muted state. Accordingly, audio output of audio channel 2 is not muted in the time interval of t10-t20, as alleged by the Examiner.

Accordingly, Katayama does not disclose or teach at least, “... a mute section for muting the first audio signal which is output from the audio signal switch section when the audio signal switch section switches the second audio signal to the first audio signal,” (emphasis added) as recited in independent claim 1. Therefore, for at least the detailed arguments as presented above, the rejection on claim 1 should be withdrawn.

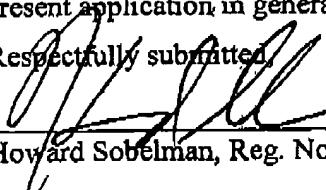
Claims 2-14 variously depend from independent claim 1, so claims 2-14 are differentiated from the cited reference for the same reasons as set forth above, as well as their own respective features.

CONCLUSION

Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application is thus requested. The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account No. 19-2814. Applicant invites the Examiner to telephone the undersigned if the Examiner has any questions whatsoever regarding this Reply or the present application in general.

Respectfully submitted,

By:

  
Howard Sobelman, Reg. No. 39,038

Dated: July 5, 2006

SNELL & WILMER L.L.P.  
400 E. Van Buren  
One Arizona Center  
Phoenix, Arizona 85004  
Phone: 602-382-6228  
Fax: 602-382-6070  
Email: hsobelman@swlaw.com

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